

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE WALKER D. MILLER

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

OCT 13 1999

JAMES H. WILKINSON - KLER
CLERK

Civil Action No. 94-WM-2581

| | | |
|---|---|--------------------------------------|
| In re: |) | Adversary Proceeding No. 94-1370-PAC |
| |) | Chapter 11 |
| INTEGRA REALTY RESOURCES, INC., |) | Case No. 92-18853-DEC |
| and |) | |
| INTEGRA - A HOTEL AND RESTAURANT |) | Case No. 92-18854-PAC |
| COMPANY |) | |
| Tax I.D. No. 48-0764252 |) | |
| and |) | |
| BHC OF DENVER, INC., |) | Case No. 92-18855-CEM |
| Tax I.D. No. 74-27914828 |) | |
| |) | Jointly Administered under |
| Debtors. |) | Case No. 92-18853-DEC |
| |) | |
| |) | |
| Jeffrey A. Weinman, as Trustee |) | |
| for the Integra Unsecured Creditors' Trust, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | |
| Fidelity Capital Appreciation Fund, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

FINAL JUDGMENT NO. 23

Pursuant to and in accordance with the Order Approving Class Settlement With Right to Opt Out entered by the Honorable Walker D. Miller, Judge, on July 7, 1999, and all procedures required thereby having been satisfied, it is

ORDERED AND ADJUDGED that the Plaintiff, Jeffrey A. Weinman, as the Trustee of the Integra Unsecured Creditors' Trust, recover as judgment from each Defendant below, individually:

1. ~~Defendant Associated Imports Inc. Money Purchase Pension Plan UA April 1-76 and trustee(s) thereof, the sum of \$15,015.00;~~
2. Defendant Robert G. Babson, the sum of \$126.00;
3. Defendant James P. Barry, the sum of \$21.00;
4. ~~Defendant Duman Chemical Co., the sum of \$7.00;~~
5. Defendant Deborah A. Broderick and FMT, Custodian FBO Deborah A. Broderick IRA, the sum of \$21.00;
6. Defendant Gerald E. Brown and Ruth M. Brown, the sum of \$56.00;
7. Defendant Gerald E. Brown and Bank of Boston, Custodian FBO Gerald E. Brown IRA, the sum of \$7.00;
8. Defendant Ruth M. Brown and Bank of Boston, Custodian FBO Ruth M. Brown IRA, the sum of \$14.00;
9. Defendant C & K Components Inc., the sum of \$91.00;
10. ~~Defendant Margaret Cappellano, the sum of \$56.00;~~
11. Defendant Cheika Enterprises Nationwide Business Service, the sum of \$42.00;
12. Defendant Gianaai Ciccone, the sum of \$7.00;
13. Defendant Giovanni Ciccone and Diana Ciccone, the sum of \$756.00;
14. Defendant Marilyn Cohen, the sum of \$14.00;
15. Defendant William C. Conant II and Nancy Y. Conant, the sum of \$126.00;
16. Defendant Matthew J. Connelly, the sum of \$7.00;
17. Defendant Richard A. Crawford, the sum of \$56.00;
18. Defendant Fred Destefano, the sum of \$385.00;

19. Defendant EG&G Wakefield Engineering, the sum of \$35.00;
20. ~~Defendant Carl J. Faulkner, the sum of \$1,638.00;~~
21. Defendant Stephen D. Foster and Joan F. Foster, the sum of \$28.00;
22. ~~Defendant Gilbert D. Furtado, the sum of \$56.00;~~
23. Defendant Daphene E. Georges, the sum of \$7,504.00;
24. ~~Defendant Frederick Georgian, M.D., and Margaret Georgian, the sum of \$1,561.00;~~
25. ~~Defendant Ronald H. Goldstein, M.D., the sum of \$147.00;~~
26. Defendant Thomas J. Goliash, Custodian FBO Nicole D. Goliash UGMA MA, the sum of \$7.00;
27. Defendant Thomas J. Goliash, Custodian FBO John D. Goliash UGMA WI, the sum of \$7.00;
28. Defendant Thomas J. Goliash, Custodian FBO Annette C. Goliash UGMA WI, the sum of \$7.00;
29. Defendant Frederick L. Goowin, Jr., the sum of \$28.00;
30. ~~Defendant Leslie R. Gordon, the sum of \$28.00;~~
31. Defendant Michael Gregory and FMT, Custodian FBO Michael Gregory IRA, the sum of \$210.00;
32. Defendant Peter A. Hayes, Custodian FBO Jonathan A. Hayes UTMA MA, the sum of \$7.00;
33. Defendant Steven M. Heutlinger, the sum of \$7.00;
34. Defendant Carlton Hoagland and Plymouth Home Nat'l Bank, Trustee FBO Carlton Hoagland IRA RO, the sum of \$749.00;

35. ~~Defendant Howard S. Goldberg MD Inc. Profit Sharing Plan and Trustee(s) thereof, the sum of \$1,561.00;~~
36. Defendant Charles E. Jiaras and Emma E. Jiaras, the sum of \$7.00;
37. ~~Defendant Papken P. Johnson and Margaret B. Johnson, the sum of \$14.00;~~
38. Defendant Robert J. Kaplan, Trustee FBO Robert J. Kaplan M.D. IRA, the sum of \$2,464.00;
39. Defendant Kin Chun Lee and Yip Man Ching Lee, the sum of \$525.00;
40. Defendant Charles P. Levine and Faylyn Levine, the sum of \$119.00;
41. Defendant Thomas M. Linnane, the sum of \$595.00;
42. Defendant Donald P. MacGuire and Plymouth Home National Bank, Trustee FBO Donald P. MacGuire IRA, the sum of \$126.00;
43. Defendant Peter G. McAvoy, the sum of \$294.00;
44. Defendant Myles McDonough, the sum of \$357.00;
45. ~~Defendant Charles F. McGuire and Brenda M. McGuire, the sum of \$56.00;~~
46. Defendant Susan Mills and FMT, Custodian FBO Susan Mills IRA, the sum of \$343.00;
47. Defendant John Bruce Mitchell, Trustee FBO Nicholas Mitchell, the sum of \$21.00;
48. Defendant Kevin Murphy and Andrea Murphy, the sum of \$294.00;
49. Defendant Matthew Newman, the sum of \$7.00;
50. Defendant Robert Pino and Maureen Pino, the sum of \$70.00;
51. ~~Defendant Joseph L. Price and Linda W. Price, the sum of \$119.00;~~
52. Defendant Richard C. Pupi, the sum of \$70.00;
53. Defendant Robert P. Pupi, the sum of \$77.00;
54. ~~Defendant Murlidhar Rao, the sum of \$196.00;~~

55. Defendant Roger P. Romei III, the sum of \$14.00;
56. Defendant Samuel J. Mazza MC Inc., Trustee FBO Mazza Profit Sharing A/C U/A/D 7/1/85, the sum of \$2,730.00;
57. Defendant Samuel J. Mazza MC Inc., Trustee FBO Mazza Pension A/C U/A/D 7/1/85, the sum of \$4,536.00;
58. Defendant Sarkis Avakian IE Fund, the sum of \$21.00;
59. ~~Defendant George Sewall, the sum of \$1,169.00;~~
60. Defendant Linda E. Stewart and Thomas A. Wilson, the sum of \$3,500.00;
61. Defendant Arthur Tellier, the sum of \$7.00;
62. Defendant Dale Tommer and Donna M. Tommer, the sum of \$56.00;
63. Defendant Dale F. Tommer, Sr. and Dorothy M. Tommer, the sum of \$84.00;
64. ~~Defendant Nathan Turransky and Phyllis Turransky, the sum of \$70.00;~~
65. Defendant Jaimal S. Tuteja and Harvinder K. Tuteja, the sum of \$539.00;
66. Defendant Jamial S. Tuteja, the sum of \$315.00;
67. Defendant Arsene P. Vaillancourt and Barbara R. Vaillancourt, the sum of \$119.00;
68. Defendant Joseph L. Vaillancourt and Arsene Vaillancourt, the sum of \$21.00;
69. Defendant Paul A. White and Pauline A. White, the sum of \$7.00;
70. ~~Defendant Norman F. Yee and Debra L. Yee, the sum of \$14.00;~~

Each with interest pursuant to 28 U.S.C. §1961 thereon at the rate of 5.285 per cent as provided by law.

IT IS FURTHER ORDERED AND ADJUDGED pursuant to Rule 54 (b) of the Federal Rules of Civil Procedure that there is no just reason for delay in the entry of this judgment, and therefore, this judgment shall be entered as a separate, final judgment.

DATED this 12th day of October, 1999.



Walker D. Miller, United States District Court Judge

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U.S. DISTRICT COURT
N. DIST. OF CAL.
OCT 10 1999
JAMES H. MANSPEAKER
Clerk